

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 3236 of 1998

Between:

- 1 Maheshwara Vigneshwara Waddera Labour Contract -co-Operative Society Ltd.,
Panagal, Nalgonda District. Rep.by its President S.Mahesh.
- 2 Sai Shiva Sand & Stone Quarry Waddera Labour Contract Co-Operative Society
Ltd.,
Panagal, Nalgonda District. Rep.by its President K.Lingaiah.
- 3 Labour Contract Co-Operative Society, Rep.by its President K.Sree Ramulu.
Panagal, Nalgonda District.
- 4 Maheshwari Parameshwari Waddera Labour Contract -co-Operative Society Ltd.,
Narketpally,, Nalgonda District. Rep.by its President G.Sathiah.
- 5 K.V.Mohan Rao, S/o. Gopala Rao,
Vidyuth Nagar, Visakhapatnam.
- 6 M.Madhusudhana Rao, S/o. Krishna Murthy,
Tiruvur Village & Mandal, Vijayawada.

..... PETITIONER(S)

AND

- 1 Superintending Engineer, Irrigation Circle,
Red Hills, Hyderabad.
- 2 Superintending Engineer, Public Health Circle,
Warangal.
- 3 Superintending Engineer, G.V.C.Circle-I,
Sreeram Sagar project, Nizamabad.
- 4 Superintending Engineer, G.V.C.Circle-IV, L.M.D. Colony,
Karimnagar.
- 5 Superintending Engineer, N.S.P. Circle,
Tekulapally, Khammam.
- 6 Superintending Engineer, Irrigation Circle,
Nirmal, Adilabad.
- 7 Superintending Engineer, S.L.B.C. Circle-I & II,
G.V. Gudem , Nalgonda.
- 8 Superintending Engineer, N.S.P. Circle,

- Miryalaguda, Nalgonda District.
- 9 Superintending Engineer,
Panchayatraj Circle,, Nalgonda.
 - 10 Chief Engineer,
Panchayatraj (NABARD), Hyderabad.
 - 11 Superintending Engineer, Construction Circle,
K.C.Camp. Huzurabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue order, Writ , direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in insisting the petitioner society for payment of Earnest Money Deposit, Commercial tax Clearance Certificate or Imposing any condition or experience in connection with all tender notices issued on or after 10-1-1998 arbitrary, illegal and unreasonable and Consequently direct the respondent not to insist payment of Earnest Money Deposit up to any value of the Work, Commercial Tax clearance certificate and Experience certificate from the petitioners at the time of allotment of Works in all tender notices issued on or after 10-1-1998 and issue schedules in all tender notices issued on after 10-1-1998 by following G.O. Ms.No. 178 dated 27-9-1997 irrespective of any condition like all type of work experience in Whichever they register.

Counsel for the Petitioners:MR.KOONA REDDY ANJI REDDY (NOT PRESENT)

Counsel for the Respondents: GP FOR IRRIGATION & COMM AREA DEV.

The Court made the following :

ORDER:

The present writ petition is filed questioning the action of the respondents in insisting the petitioner society for payment of Earnest Money Deposit, Commercial tax Clearance Certificate or Imposing any condition or experience in connection with all tender notices issued on or after 10-1-1998.

This Court while admitting the writ petition granted interim direction by order dated 6-2-1998 in W.P.M.P.No. 3805 of 1998.

Today, learned counsel for petitioner called absent. Learned Government Pleader for Irrigation submits that the cause in the writ petition does not survive and it has become infructuous.

Accordingly, the writ petition is dismissed as infructuous. No costs.

N.V.RAMANA,J

20-4-2005

TVK

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

- 1 Superintending Engineer, Irrigation Circle,
Red Hills, Hyderabad.
- 2 Superintending Engineer, Public Health Circle,
Warangal.
- 3 Superintending Engineer, G.V.C.Circle-I,
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